

files an application for Special Tariff Permission:

(1) To offer passenger fares that would be outside a Board-established zone of fare flexibility or, in markets for which the Board has not established such a zone, outside the statutory zone of fare flexibility; or

(2) To file any price increase or rule change that the carrier believes is likely to be controversial.

(f) *Form of notice.* When notice of filing of a Special Tariff Permission application affecting passenger fares is required by paragraph (e) of this section, the carrier shall, when it files the application, give immediate telegraphic notice or other notice approved by the Chief of the Tariffs Division, Bureau of International Aviation, to all certificated and foreign route carriers authorized to provide nonstop or one-stop service in the markets involved, and to civic parties that would be substantially affected. When notice of an application affecting cargo rates is required by paragraph (e) of this section, the carrier shall give the notice as described in the previous sentence to readily identifiable representatives of affected shippers. The application shall include a list of the parties notified.

(Approved by the Office of Management and Budget under control number 3024-0038)

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1038, 43 FR 1323, Jan. 9, 1978; ER-1171, 45 FR 20064, Mar. 27, 1980; ER-1205, 45 FR 87009, Dec. 31, 1980; ER-1233, 46 FR 35633, July 10, 1981; ER-1271, 46 FR 63218, Dec. 31, 1981; ER-1322, 48 FR 4270, Jan. 31, 1983]

§221.192 Special Tariff Permission to be used in its entirety as granted.

Each Special Tariff Permission to file rates, fares, or other tariff provisions on less than statutory notice shall be used in its entirety as granted. If it is not desired to use the permission as granted, and lesser or more extensive or different permission is desired, a new application for Special Tariff Permission conforming with §§221.191 and 221.241 in all respects and referring to the previous permission shall be filed.

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1038, 43 FR 1323, Jan. 9, 1978]

§221.193 Re-use of Special Tariff Permission when publication is rejected.

If a tariff publication containing matter issued under Special Tariff Permission is rejected, the same Special Tariff Permission may be used in a tariff publication issued in lieu of such rejected publication provided that such re-use (a) is not precluded by the terms of the Special Tariff Permission, and (b) is made within the time limit thereof or within seven days after the date of the Board's notice of rejection, whichever is later, but in no event later than fifteen days after the expiration of the time limit specified in the Special Tariff Permission.

§221.194 Reference to Special Tariff Permission on tariff publications.

The terms of Special Tariff Permissions require that tariff publications filed pursuant thereto shall bear reference to the Special Tariff Permission substantially in the following form:

Issued on ____ days' notice under Special Tariff Permission No. ____ of the Civil Aeronautics Board.

At the election of the publisher, the Board's Special Tariff Permission number may be omitted from such notation on the tariff publication provided that:

(a) The Special Tariff Permission number is shown in the letter of tariff transmittal in connection with the listed tariff publication containing matter issued under such permission, and

(b) The Special Tariff Permission application number of the issuing carrier or agent is shown in the notation on the tariff publication in the following manner:

Issued on ____ days' notice under Special Tariff Permission of the Civil Aeronautics Board. (Appl. No. ____.)

Publishers should elect to omit the Special Tariff Permission number from the tariff publication only when publication and filing will be expedited since it is preferable that the Special Tariff Permission number be shown on the tariff publication.